

**U.S. DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK  
(FOLEY SQUARE)**

**D George Sweigert, Plaintiff**

**v.**

**Jason Goodman, Defendant**

**CIVIL CASE #: 1:18-CV-08653-VEC**

**JUDGE VALERIE E. CAPRONI**

**MAGISTRATE STEWART D. AARON**

**PLAINTIFF'S LETTER MOTION FOR AN EXTENSION OF DEADLINE TO  
RESPOND TO DEFENDANT'S "COUNTER CLAIM VERIFIED COMPLAINT"**

**MAY IT PLEASE THE COURT:**

Defendant has stated his intention to file a document known as:

**COUNTER CLAIM VERIFIED COMPLAINT<sup>A</sup>**

*D.S.  
12/1/19*

The undersigned Plaintiff is a licensed Emergency Medical Technician and will be actively engaged in a bi-annual re-certification process during the next two weeks. Further, the Plaintiff has made travel plans based on religious observances in the coming weeks.

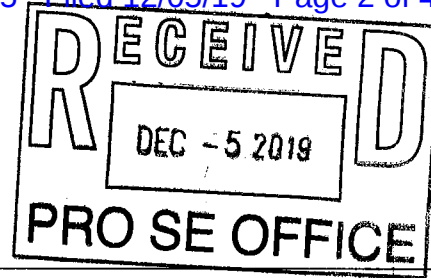
THEREFORE, Plaintiff seeks **AFFIRMATIVE RELIEF** in the form of a 21 (twenty-one) day extension of the tolling time period to respond to the Defendant's (undocketed) pleading.

I hereby certify that the attached pleadings are truthful and accurate (to the best of my knowledge) and are not submitted for the purposes of oppression of the Defendant.

Signed this 1 day of December, 2019.

*D.S.*  
**D. G. SWEIGERT, C/O  
GENERAL DELIVERY  
ROUGH AND READY, CA 95975  
Spoliation-notice@mailbox.org**

*12.1.19*



**U.S. DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK  
(FOLEY SQUARE)**

**D George Sweigert, Plaintiff**

**v.**

**Jason Goodman, Defendant**

**CIVIL CASE #: 1:18-CV-08653-VEC**

**JUDGE VALERIE E. CAPRONI**

**MAGISTRATE STEWART D. AARON**

**PLAINTIFF'S LETTER MOTION FOR AN EXTENSION OF DEADLINE  
TO FILE AMENDED MOTION IN OPPOSITION**

**MAY IT PLEASE THE COURT:**

Plaintiff has filed the following document:

11/27/2019	<u>114</u>	NOTICE OF MOTION(Response)IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS PURS. TO RULE 12(b)(6) (ECF DOC. NOS. 105 & 106), re: <u>106</u> MOTION to Dismiss. Document filed by D George Sweigert. (sc) (Entered: 11/29/2019)
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The above document was sent via U.S. Priority Mail **PRIOR** to the issuance of the following  
ORDER:

11/23/2019	<u>111</u>	ORDER: Plaintiff shall respond to Defendant's Motion to Dismiss (ECF No. 106) no later than 12/31/2019. Defendant shall file any reply by 1/17/2020. The Court shall not consider matters outside the pleadings and thus the Court declines to treat the motion as one for summary judgment. See Fed. R. Civ. P. 12(d). The Clerk of Court is directed to mail a copy of this Order to the pro se parties. In addition, a copy of this Order will be emailed to the parties by Chambers. SO ORDERED. (Signed by Magistrate Judge Stewart D. Aaron on 11/23/2019) Copies Sent By Chambers. (Aaron, Stewart) Transmission to Docket Assistant Clerk for processing. (Entered: 11/23/2019)
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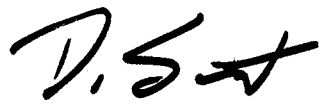
The undersigned Plaintiff wishes to **AMEND his MOTION IN OPPOSITION** pursuant to Fed. Rules. Civ. Proc. (F.R.C.P.) **Rule 15(a)(1)(A)** to carve out issues related to the possible **Rule 56** hearing for Summary Judgment (as explained in ECF Doc. No. 111). Prior to the ORDER (ECF Doc. no. 111) Plaintiff was unsure if he needed to respond to those Rule 56 issues raised by the Defendant that fell outside the four-corners of the Second Amended Complaint ([SAC], ECF Doc. No. 88).

**Rule 15(a)(1)(A)** would provide the Plaintiff 21 (twenty-one) days to amend the pleading (ECF Doc. No. 114) served on 11/27/2019. However, the Plaintiff seeks **LEAVE OF THE COURT** to extend this filing deadline to the original **12/31/2019** as expressed in the ORDER (ECF Doc. No. 111).

**Supporting rationale and good cause:** the undersigned Plaintiff is a licensed Emergency Medical Technician and will be actively engaged in a bi-annual re-certification process during the next two weeks and the Plaintiff has made travel plans based on religious observances in the coming weeks.

THEREFORE, Plaintiff seeks **AFFIRMATIVE RELIEF** in the form of an extension of the tolling time period to respond to the Defendant's MOTION TO DISMISS (ECF Doc. No. 105 & 106) until **12/31/2019** via a **Rule 15(a)(1)(A) amendment**.

I hereby certify that the attached pleadings are truthful and accurate (to the best of my knowledge) and are not submitted for the purposes of oppression of the Defendant. Signed this 1 day of December, 2019.

  
**D. G. SWEIGERT, C/O**  
**GENERAL DELIVERY**  
**ROUGH AND READY, CA 95975**  
**Spoliation-notice@mailbox.org**

**12.1.19**



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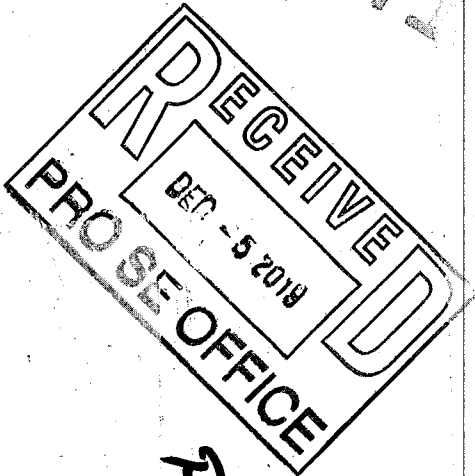
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FROM:

D. G. SWEIGERT, C/O  
GENERAL DELIVERY  
ROUGH AND READY, CA 95975  
[Spoliation-notice@mailbox.org](mailto:Spoliation-notice@mailbox.org)

PRIORITY<sup>®</sup>  
MAIL

USPS  
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PRO SE 200

TO:

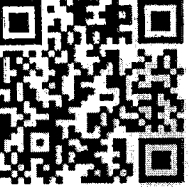
Clerk of the Court, Room 200  
U.S. District Court  
500 Pearl Street  
New York, New York 10007-1312

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